

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Flannagan *et al.*
 Appl. No.: ~~09/115,509~~ 09/715,909
 Filed: November 17, 2000
 For: NOVEL BT TOXIN RECEPTORS FROM LEPIDOPTERAN INSECTS AND METHODS OF USE

Confirmation No.: 5613
 Group Art Unit: 1647
 Examiner: Robert Clinton Hayes

August 10, 2004

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE BOARD OF PATENT
 APPEALS AND INTERFERENCES (37 C.F.R. § 1.191)**

Applicant in the above-identified patent application hereby appeals to the Board of Appeals and Interferences from the decision dated May 14, 2004, rejecting the following Claims 1-3, 7, 8, 10-18, 28-32, and 34-39.

The fee for this Notice of Appeal under 37 CFR § 1.17(b) is enclosed.

- ☐ Applicant claims small entity Status.
- ☒ A check is enclosed.
 (\$330.00 for large entity fee or \$165.00 if small entity status)
- ☐ Please charge Deposit Account No. 16-0605 for the Notice of Appeal Filing Fee.
- ☒ Any additional fee or refund may be charged to our Deposit Account No. 16-0605.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

Respectfully submitted,

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:
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